

**From:** Sean Hertzsch  
**To:** 'microsoft.atr(a)usdoj.gov'  
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**Subject:** Microsoft Settlement

Not being completely legal savvy, you will have to forgive my, perhaps brutish, interpretation of this case.

To my understanding, Microsoft(R) is being sued with an Anti-Trust suit because they are not allowing competition into the market. That, I can see quite readily. The proposed settlement looks to be more in Microsoft's(R) favor than the people of this country that want to ensure a choice.

From what I can interpret, (again, not being legal savvy) this settlement only accounts for allowing shortcuts on the desktop of the Windows(R) OS, releasing the adaptability code for software to be run on the Windows(R) OS, and not allowing Windows(R) to punish OEM's for not selling exclusively Microsoft(R) OS.

None of this addresses the issue of Microsoft(R) software that runs exclusively on the Windows(R) OS (to my understanding, part of the reason for this case) nor does it address the inability of other operating systems to obtain, even a minor foot hold in the market, even as a free OS. I truly believe that there are several ways to resolve these issues without denegrating the Windows(R) OS.

First, allow portability for all Microsoft(R) software to other Operating Systems. This includes Microsoft Office(C), VISIO(C), or any other Microsoft(R) product. Right now there are several projects working on this functionality but are being done under duress. I know that the Lindows(R) project has just fallen under legal scrutiny from Microsoft(R). Granted this is for the name (which I can't see anyone mistaking) but, this will siphon financing from the development process to the legal suit. Possibly causing inability to push forward with the project.

Second, I believe an optimum solution was granted from Red Hat Inc(R). for the settlement.

[http://www.redhat.com/about/presscenter/2001/press\\_usschools.html](http://www.redhat.com/about/presscenter/2001/press_usschools.html)

This will allow children, in their formative years to be introduced to a different operating system than Windows(R). Also, this will provide support for a much longer duration without causing excessive duress on the schools to provide the money for upgrading the software and updating licensing. This also allows students to become more aware of a real life, business situation, as the computers will be inherently networked.

(As I said, I am not the most legal savvy and I hope I got all of the copyright and trademark etc.. in their appropriate place. If I failed to do so, I trust you understand that their position was intended.)

Thank you!!

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